

IN THE SENATE OF THE UNITED STATES.

MAY 21, 1858.—Ordered to be printed.

Mr. MASON submitted the following

REPORT.

The Committee on Foreign Relations, to whom was referred the memorial of Samuel Bromburg, late United States consul at Hamburg, praying compensation for diplomatic and extra services, have had the same under consideration and now report:

The memorialist represents that he was duly appointed consul of the United States for the port of Hamburg, November 1, 1849, entered upon the discharge of his duties April 16, 1850, and continued therein until December 27, 1855; that, during that period, the income of his office, averaging about \$1,100 per annum, was insufficient for the support of himself and family; that, during his consulate, he was often required to act as agent for receiving and forwarding despatches, parcels, and packages for the Department of State, which occupied a large portion of his time, and involved some pecuniary expense; that he was also required to perform certain diplomatic services, consisting, as far as specifically presented, of his interposition for the protection of adopted American citizens against impressment into foreign service, efforts to prevent the introduction of foreign convicts into the United States, and for the general maintenance of the rights of American citizens under existing treaties, and for these services asks that he may be allowed an additional compensation of \$1,000 per annum, during his official term.

This memorial appears to have been presented to the House of Representatives on the 23d December, 1856, referred to the Committee on Foreign Affairs, and shortly thereafter, by the chairman of that committee, transmitted to the Department of State, with a request for information respecting the claim, and inquiring "whether the department has the power to pay such claims without congressional legislation."

The Secretary, under date of January 6, 1857, in reply, says:

"By referring to the general instructions to United States consuls and commercial agents, edition of 1838, in use at the time of the appointment of Mr. Bromburg, or to the 'instructions' and 'regulations,' issued in 1855 and 1856, respectively, it will be seen that the

duties of consular officers are of a very miscellaneous character, and, in the language of the statute of 1792, still in force. 'The specification of certain powers and duties * * * * * to be exercised or performed by the consuls and vice-consuls of the United States, shall not be construed to the exclusion of others resulting from the nature of these appointments.' Consequently, consular officers of the United States, throughout the world, have been required to discharge duties, not differing essentially from those performed by Mr. Bromburg, without expectation on their part, or of the department, that extra compensation would be allowed for such services.

"In performing the services for which Mr. Bromburg now claims compensation he was doing no more than what would have been expected from any other consular officer under similar circumstances. If Mr. Bromburg has been subjected to expenses for postage or freight in the transmission of official despatches or packages, such expenditures will be paid by this department on the presentation of an account accompanied by proper vouchers."

From this statement of the Secretary, it would seem that the memorialist has no well founded claim for compensation for what he conceives to have been his diplomatic services, those services being properly pertinent to his consular office, and strictly within the line of his legitimate duty. And the Department of State having already sufficient authority to reimburse whatever expenses he may have incurred for postage or freight, there seems to be no further question for the committee to consider; they, therefore, recommend that the prayer of the petitioner be refused, and ask to be discharged from the further consideration of the subject.